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General Assembly

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Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 10

Resolution adopted by the Human Rights Council on 23 March 2018

37/40. Cooperation with Georgia

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and other relevant international human rights instruments,

Bearing in mind relevant regional instruments, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms,

Recalling its resolution 34/37 of 24 March 2017,

Reaffirming its commitment to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders,

Reaffirming also the primary responsibility of States to promote and protect human rights and fundamental freedoms,

Recognizing the importance of the Geneva international discussions as an instrument for addressing security, stability, human rights and humanitarian issues,

Welcoming the cooperation of the Government of Georgia with the Office of the United Nations High Commissioner for Human Rights, its office in Tbilisi, and other relevant international and regional human rights mechanisms and actors,

Welcoming also the continuous technical assistance provided by the Office of the High Commissioner through its office in Tbilisi,

Recognizing the significance of the report of the High Commissioner,[1]

Stressing the findings of the High Commissioner in the report, in which he underscored the responsibility of the authorities in control in both regions to uphold the fundamental freedoms and human rights of all people living therein and expressed regret at the refusal of those in control of Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia to grant unimpeded access to staff members of the Office of the High Commissioner and to United Nations human rights mechanisms,

[1] A/HRC/36/65.

Expressing serious concern at the discrimination based on ethnic grounds, restrictions on education in one's native language in both Georgian regions, and the reported mass demolition of houses of ethnic Georgians in the Tskhinvali region,

Recognizing with appreciation the efforts of the Government of Georgia to strengthen democracy, the rule of law and the promotion and protection of human rights, and in this context welcoming the cooperation of the Government with United Nations and regional human rights mechanisms,

Expressing concern that internally displaced persons and refugees continue to be deprived of the right to return to their homes in a safe and dignified manner,

Expressing serious concern at the repeated denial of access to international and regional monitors, including United Nations human rights mechanisms, to both Georgian regions by those in control of those regions,

Recognizing in this context the importance of and need for periodic reports of the Office of the High Commissioner for an objective and impartial assessment of the situation of human rights in both Georgian regions,

1. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance through his office in Tbilisi;

2. *Strongly calls for* immediate access to be given to the Office of the High Commissioner and international and regional human rights mechanisms to Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia;

3. *Requests* the High Commissioner to present to the Human Rights Council, in accordance with its resolution 5/1 of 18 June 2007, an oral update on the follow-up to the present resolution at its thirty-eighth session, and to present a written report on developments relating to and the implementation of the present resolution at its thirty-ninth session.

56th meeting
23 March 2018

[Adopted by a recorded vote of 19 to 5, with 23 abstentions. The voting was as follows:

In favour:

Australia, Belgium, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Georgia, Germany, Hungary, Japan, Mexico, Panama, Peru, Slovakia, Slovenia, Spain, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Burundi, China, Cuba, Philippines, Venezuela (Bolivarian Republic of)

Abstaining:

Afghanistan, Angola, Brazil, Chile, Ecuador, Egypt, Ethiopia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nepal, Nigeria, Pakistan, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, South Africa, Switzerland, Tunisia, United Arab Emirates]